

UNEMPLOYMENT COMPENSATION FROM CALIFORNIA FOR MILITARY SPOUSES

Provided by the
Legal Assistance Branch, MLCAPAC (II)
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Due to the transitory nature of military life, it often becomes necessary for a spouse of a service member to leave his or her employment, in order to accompany a spouse on a Permanent Change of Station (PCS) move. While the eligibility for unemployment compensation in this situation is governed differently in each state, the state of California provides unemployment compensation to military spouses who must leave their employment in California to accompany their spouses on PCS moves.

BASIC FACTS ABOUT UNEMPLOYMENT INSURANCE

Unemployment insurance is an insurance program that is paid for by one's employer. It provides an income when a person is out of work through no fault of his own. To qualify for benefits, one must be "unemployed," and have earned a statutorily set minimum amount of income.

TYPE OF CLAIM

You may file a claim in a California employment security office if:

Your job was located in California (even if you live in another state, you may claim benefits from California at an employment security office in another state); OR

You live in California but your earnings were in another state. (California will act as your agent in claiming benefits from the other state; however, the laws of the other state may or may not permit compensation.)

GOOD CAUSE

A person is disqualified for unemployment compensation benefits if he or she leaves his or her work **voluntarily without good cause** (or if he or she has been discharged for work-related misconduct). In California, a person is deemed to have left his or her work **with good cause** if he or she leaves employment to **accompany his or her spouse** to a place from which it is impractical to commute to the employment. (Note: "Spouse" includes a person to whom marriage is imminent.)

Military spouses working in California, who must leave their employment to accompany their service member spouses on PCS moves outside of the practical commuting area, are considered to have left their employment **with good cause**.

HOW TO APPLY FOR BENEFITS

Spouses must immediately continue to look for employment after leaving their job due to the PCS move in order to rate benefits. To obtain information about unemployment benefits, refer to the State Government Offices section of the telephone directory under:

**CALIFORNIA STATE of
EMPLOYMENT DEVELOPMENT DEPARTMENT**

For those who reside outside of California but who will file an unemployment benefits claim here because the wages were earned here, call 1-800-250-3913.

7/98